

CITY OF HOUSTON



PUBLIC WORKS AND ENGINEERING PLANNING & DEVELOPMENT DIVISION

Application for Approval of Municipal Setting Designation

APPLICANT INFORMATION

Applicant's Name: Houston Pavilions, L.P.
☐ Individual ☒ Private Entity ☐ Public Entity ☐ Non-Profit Entity ☐ Other _____
Address: 1001 Fannin Street, Suite 625 Houston Texas 77002
(Street) (City) (State) (Zip)
Phone No.: 713.654.7110 Fax No.: (713) 654-7105
Email: _____

Contact Information

Name of Contact: Mr. Geoffrey Jones
Title: Co-General Partner
Address: 1001 Fannin Street, Suite 625 Houston Texas 77002
(Street) (City) (State) (Zip)
Phone No.: 713.654.7110 ext. 223 Fax No.: (713) 654-7105
Email: gpj@houstonpavilions.com

SITE INFORMATION

Site Name: Block 272, 273, and 274
Site Size: 5 acres
Site Address: 1210 San Jacinto Street, Houston, Harris County, Texas 77002

(List all owners – additional sheet is attached, if needed)

Owner: Houston Pavilions, L.P.
Owner Address: 1001 Fannin, Suite 625 Houston Texas 77002
(Street) (City) (State) (Zip)
Name of Contact: Geoffrey Jones
Title: Co-General Partner
Organization: Houston Pavilions, L.P.
Phone No.: 713-654-7110 Fax No.: 713-654-7105
Email: _____

Additional Owner List

(Cont'd from pg. 1)

Owner: Central Parking Corporation

Owner Address: 2401 21st Street Nashville Tennessee 37212
(Street) (City) (State) (Zip)

Name of Contact: Emanuel Eads

Title: Chief Executive Officer and President

Organization: Central Parking Corporation

Phone No.: 615-850-6250 Fax No.: 615-297-4458

Email: EEads@parking.com

Owner: _____

Owner Address: _____
(Street) (City) (State) (Zip)

Name of Contact: _____

Title: _____

Organization: _____

Phone No.: _____ Fax No.: _____

Email: _____

Owner: _____

Owner Address: _____
(Street) (City) (State) (Zip)

Name of Contact: _____

Title: _____

Organization: _____

Phone No.: _____ Fax No.: _____

Email: _____

Owner: _____

Owner Address: _____
(Street) (City) (State) (Zip)

Name of Contact: _____

Title: _____

Organization: _____

Phone No.: _____ Fax No.: _____

Email: _____

ITEM	YES	NO	N/A	COH Use Only
**Executive Summary (Use Sheet Attached)	X			
1. Provide a legal description of the boundaries of the designated property and a copy of the deed for the designated property. <u>Label "Appendix A" - Cross Reference with TCEQ's # 3</u>	X			
2. A site map showing: a. The location of the designated property. b. The topography of the designated property as indicated on publicly available sources, which must note the watershed and whether the designated property is located in a floodplain or floodway, as those terms are defined in Chapter 19 of the Code. c. The detected area of groundwater contamination. d. The location of all soil sampling locations and all groundwater monitoring wells. e. Groundwater gradients, to the extent known, and direction of groundwater flow. f. The ingestion protective concentration level exceedence zone for each contaminant of concern, to the extent known. <u>Label "Appendix B" - Cross Reference with TCEQ's # 1, 2 & 4</u>	X			
3. A description of the current use, and, to the extent known, the anticipated uses, of the designated property and properties within 500 feet of the boundary of the designated property. <u>Label "Appendix C"</u>	X			
4. For each contaminant of concern within the ingestion protective concentration level exceedence zone, to the extent known, provide the following: a. A description of the ingestion protective concentration level exceedence zone and the non-ingestion protective concentration level exceedence zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface. b. The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units. c. Its basic geochemical properties (e.g., whether the contaminant of concern migrates with groundwater, floats or is soluble in water). <u>Label "Appendix D" - Cross Reference with TCEQ's # 5</u>	X			
5. For each contaminant of concern within the designated groundwater, to the extent known: a. A description of the ingestion protective concentration level exceedence zone and the non-ingestion protective concentration level exceedence zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface. b. The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units. c. Its basic geochemical properties (e.g., whether the contaminant of concern migrates with groundwater, floats or is soluble in water). <u>Label "Appendix E" - Cross Reference with TCEQ's # 5</u>	X			

ITEM	YES	NO	N/A	COH Use Only
<p>6. A table displaying the following information for each contaminant of concern, to the extent known:</p> <ul style="list-style-type: none"> a. The maximum concentration level for soil and groundwater, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units. b. The critical protective concentration level without the municipal setting designation, highlighting any exceedences. <p><u>Label "Appendix F" - Cross Reference with TCEQ's # 5</u></p>	X			
<p>7. A statement as to whether the plume of contamination is stable, expanding, or contracting, with the basis for that statement. If this information is not known, a statement of why the information is not known should be attached.</p> <p><u>Label "Appendix G"</u></p>	X			
<p>8. A statement as to whether contamination on and off the designated property without a municipal setting designation <u>exceeds</u> a residential assessment level as defined in the Texas Risk Reduction Program or analogous residential level set by EPA, if known, and the basis for that statement.</p> <p><u>Label "Appendix H"</u></p>	X			
<p>9. A statement as to whether contamination on and off the designated property with a municipal setting designation <u>will exceed</u> a residential assessment level as defined in the Texas Risk Reduction Program or analogous residential level set by EPA, if known, and the basis for that statement.</p> <p><u>Label "Appendix I"</u></p>	X			
<p>10. Identification of the points of origin of the contamination and the persons responsible for the contamination, to the extent known.</p> <p><u>Label "Appendix J"</u></p>	X			
<p>11. A description of any environmental regulatory actions that have been taken within the past five years in connection with the designated property, to the extent known.</p> <p><u>Label "Appendix K"</u></p>	X			
<p>12. A listing of all existing state or EPA registrations, permits, and identification numbers that applies to the designated property.</p> <p><u>Label "Appendix L"</u></p>	X			
<p>13. A statement as to whether the designated property has been admitted to the Texas Voluntary Cleanup Program (section 361.601 of the Texas Health & Safety Code, as may be amended from time to time) or similar state or federal programs, and a description of the status of the designated property in the program.</p> <p><u>Label "Appendix M"</u></p>	X			
<p>14. A summary of any environmental site assessment reports filed with TCEQ regarding any site investigations or response actions that are planned, ongoing or completed related to the designated property.</p> <p><u>Label "Appendix N"</u></p>	X			

ITEM	YES	NO	N/A	COH Use Only
<p>15. A statement as to whether any public drinking water supply system exists that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property and the identity of each supply system.</p> <p><u>Label "Appendix O" - Cross Reference with TCEQ's # 2. 1st bullet</u></p>	X			
<p>16. The name and address of each owner or operator of a water well registered or permitted by the state or the Houston-Galveston Subsidence District that is located within five miles of the boundary of the designated property, along with:</p> <p>a. A map showing the location of each well and, to the extent known, a notation of whether each well is used for potable water.</p> <p>b. A statement as to whether the applicant has provided notice to each owner in compliance with section 361.805 of the Texas Health and Safety Code.</p> <p><u>Label "Appendix P" - Cross Reference with TCEQ's # 8 & 9</u></p>	X			
<p>17. The name and address of each retail public utility, as defined in section 13.002 of the Texas Water Code, that owns or operates a groundwater supply well within five miles of the boundary of the designated property, along with a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code.</p> <p><u>Label "Appendix Q" - Cross Reference with TCEQ's # 7, 3rd bullet</u></p>	X			
<p>18. A listing of each municipality, other than the city of Houston, with a corporate limit within one-half mile of the boundary of the designated property, and a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code.</p> <p><u>Label "Appendix R" - Cross Reference with TCEQ's # 7, 2nd bullet</u></p>	X			
<p>19. A listing of each municipality, other than the city of Houston, that owns or operates a groundwater supply well within five miles of the boundary of the designated property, and a statement as to whether the applicant has provided notice as required by section 361.805 of the Texas Health and Safety Code.</p> <p><u>Label "Appendix S" - Cross Reference with TCEQ's # 7, 4th bullet</u></p>	X			
<p>20. A listing of owners of real property within 2,500 ft. of the boundary of the designated property as indicated by the most recent appraisal district records. (Include pre-printed mailing labels)</p> <p><u>Label "Appendix T"</u></p>	X			

ITEM	YES	NO	N/A	COH Use Only
<p>21. The following statement signed and sealed by a licensed professional engineer or licensed professional geoscientist authorized to practice in the State of Texas with expertise in environmental remediation:</p> <p>'To the best of my knowledge and belief, based upon a review of all public and private records and other information sources available to me in the exercise of due diligence, the opinions stated and conclusions made in this application are supported by such information, and the technical and scientific information submitted with the application is true, accurate and complete. Based on such review, the contaminants of concern from sources on the designated property or migrating from or through the designated property more likely than not do exceed or do not exceed a non-ingestion protective concentration level on property beyond the boundaries of the designated property'</p> <p><u>Label "Appendix U"</u></p>	X			
<p>22. If the licensed professional engineer or licensed professional geoscientist determines that contaminants of concern from sources on the designated property are migrating from or through the designated property more likely than not do exceed a non-ingestion protective concentration level on property beyond the boundary of the designated property, then the applicant must:</p> <ol style="list-style-type: none"> Specify the name and address of the owner of each property. Send a copy of the application to the owner of the property with the notice of the public meeting. Provide documentation that the designated property has been included in a state or federal program that requires that the entire non-ingestion protective concentration level exceedance zone be addressed to the satisfaction of the agency administering the program, along with documentation of the estimated time period in which it is to be addressed. An example of such a program is the Texas Voluntary Cleanup Program (section 361.501 of the Texas Health and Safety Code, as may be amended from time to time). Provide documentation upon completion of the state or federal program showing that the non-ingestion protective concentration level exceedances have been addressed to the satisfaction of the agency administering the program. <p><u>Label "Appendix V"</u></p>			X	
<p>23. The following statement certified by the applicant and any authorized representatives of the applicant(s) listed in the application:</p> <p>'I certify under penalty of law that this application and all attachments were prepared under my direction or supervision in a manner designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the persons responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violation'.</p> <p><u>Label "Appendix W"</u></p>	X			
<p>24. A copy of the TCEQ application, if it has been filed, excluding attachments.</p> <p><u>Label "Appendix X"</u></p>			X	

25. The signature of the applicant and proof that the applicant has the legal authority to restrict the use of the groundwater on the designated property. <u>Label "Appendix Y"</u>	X			
26. The initial filing fee of \$2,000.00 payable to "City of Houston". <u>Label "Appendix Z"</u>	X			
27. Any additional information. <u>Label "Appendix AA"</u>	X			
28. Electronic Copy on CD <u>Label "Appendix BB"</u>	X			



EXECUTIVE SUMMARY

The designated property (also referred to as the "Site") is located in downtown Houston, Texas, in Harris County. The property address is 1210 San Jacinto Street, Houston, Texas 77002 and consists of 4.3 acres of commercial land referred to as Blocks 272, 273, and 274 of downtown Houston and is surrounded by commercial facilities including parking garages, office buildings, and the South Texas College of Law. The Site was residential from the 1890's until the mid 1920's when the first commercial buildings were identified on Sanborn Fire Insurance Maps. The property is currently under development for the construction of a mixed-use commercial and retail facility. The three-block project is bounded by Dallas, Polk, Main, and Caroline Streets and will include 360,000 square feet of retail and 200,000 square feet of office space. The most recent property use for each block was paved parking lots used for 24-hour parking prior to development. Central Parking currently owns the southeast quadrant of Block 273, while the remainder of the block, and Blocks 272 and 274 are owned by Houston Pavilions, LP.

Environmental investigation activities have identified chemicals of concern (COCs) in the soils and groundwater above the Texas Commission on Environmental Quality (TCEQ) Texas Risk Reduction Program (TRRP) residential protective concentration levels (PCL) for ingestion of groundwater on Block 273. The groundwater contaminant plume is stable or contracting. The affected groundwater is on average 26-feet (ft) below ground surface (bgs). Local groundwater flow beneath the site is generally toward the southeast. Four COCs in the shallow groundwater unit have been identified with protective concentration level exceedance (PCLE) zones including tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC). ***By implementing an MSD, groundwater analytical results will not exceed the TRRP residential non-ingestion PCLs.***

One state registered water well is located within one half-mile of the property based on the most recent search of the Texas Water Development Board (TWDB) records. According to the TWDB this well is drilled to a depth of 986 ft bgs. Since the groundwater contamination plume is located in the shallow, upper groundwater bearing unit approximately 26 ft bgs and separated by a thick confining unit from the deeper Evangeline Aquifer, the well is not threatened by the shallow groundwater impact at 1210 San Jacinto Street.

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EXECUTIVE SUMMARY (cont.)

There are no municipalities within a ½ mile radius of the property other than the City of Houston. Further, the City of Houston and the City of West University are the only municipal utilities located within five miles of the site.

In March 2006, source excavation of soil with PCE concentrations of approximately 1.0 mg/kg or greater was performed to reduce the mass of PCE in the source area of Block 273. Although residual COC concentrations remain, physical barriers consisting of surface cover over the remaining affected soil effectively eliminate any threat to human health and the environment. Further, upon comparison of residual concentrations of COCs located in the soil to TCEQ Tier 2 PCLs that utilize existing physical controls, no soil PCLE zone exists, and no further response actions are needed for soil.

Based on the most recent results from samples collected from off-site monitoring wells, it appears that additional sources of chlorinated solvents are present in this area and complete delineation of any contributions from Block 273 would not be possible. Research of the historical property usage of the area identified multiple auto repair facilities in the immediate vicinity of Block 273, as well as dozens of other potential source areas that are typical for the urban, mixed-use nature of the downtown environment. It is highly likely that one or more of these facilities have contributed to groundwater contamination, complicating the delineation of impacts from Block 273 and suggesting, not unexpectedly, that historical use of this area has resulted in multiple impacts to the shallow water-bearing zone. Based on current groundwater analytical data, it is evident that additional sources are likely, and that multiple plumes exist in this downtown area. It is not possible for one property owner to delineate and remediate contamination from multiple sources, especially with the complexity of restricted access, due to the urban environment and limited space to perform such an investigation.

The applicant's current plan for the site is to obtain closure for groundwater issues through the TCEQ Voluntary Cleanup Program (VCP) after obtaining the MSD with the City of Houston and TCEQ. Affected groundwater is confined vertically to the shallow groundwater-bearing unit and shows indications of natural attenuation based on the presence of degradation compounds in the downgradient direction towards the south/southeast.

Appendix A

(TCEQ MSD Reference No. 3)

Provide a legal description of the boundaries of the designated property and a copy of the deed for the designated property.

A legal description of the property is presented as an attachment to this section.

LEGAL DESCRIPTION
SOUTHEAST ONE QUARTER OF BLOCK 273
S.S.B.B.
Houston, Texas
December 6, 2005 Version 2

TRACT IV

The southeast quarter of Block Two Hundred Seventy-Three (273), S.S.B.B., Harris County, Texas, and being the same property described in Deeds filed for record under Harris County Clerk's File Number(s) J-858544 and J-898680, and being a portion of that same tract conveyed from Urban Diversified Properties, Inc. to Allright Realty Company and recorded in File No. P946885 of the Official Public Records of Real Property of Harris County Texas, said tract being more particularly by metes and bounds as follows:

A 0.362 of one acre tract of land being the south quarter of Block 273 in the S.S.B.B. Addition out of the James S. Homan Survey, Abstract No. 323 in Houston, Harris County, Texas, said 0.362 of one acre tract being more particularly described by metes and bounds as follows: (All bearings based on Texas State Plane Coordinate System, South Central Zone (4204)).

COMMENCING at the re-determined location of City of Houston Engineering Department Monument originally found at the centerline intersection of Main Street (90' R.O.W.) and Polk Avenue (R.O.W. Varies from original 80' R.O.W.);

THENCE South 57°07'45" East, along the centerline of Polk Avenue, a distance of 503.50 feet to a point for corner;

THENCE North 32°52'15" East, a distance of 40.00 feet to a PK Nail set in the Northeasterly right-of-way line of Polk Avenue and being the POINT OF BEGINNING of the herein described tract;

THENCE continuing North 32°52'15" East, a distance of 125.00 feet to a PK Nail set for corner;

THENCE South 57°07'45" East, a distance of 126.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying set for corner in the Northwesterly right-of-way line of San Jacinto Street (80' R.O.W.);

THENCE South 32°52'15" West, along the Northwesterly right-of-way line of San Jacinto Street, a distance of 125.00 feet to a 5/8-inch iron with orange cap marked RODS Surveying found for corner at the intersection of the Northwesterly right-of-way line of San Jacinto Street with the Northeasterly right-of-way line of Polk Avenue;

THENCE North 57°07'45" West, along the Northeasterly right-of-way line of Polk Avenue, a distance of 126.00 feet to the POINT OF BEGINNING and containing 15,750 square feet or 0.362 of one acre of land.

A map of even date accompanies this metes and bounds description.


Registered Professional Land Surveyor

December 6, 2005

Updated January 10, 2007

RODS Surveying Job No. 309-20525-001

LEGAL DESCRIPTION
BLOCK 272, the Northwest, Northeast and
Southwest Quarters of Block 273 and Block 274
S.S.B.B.
Houston, Texas
December 6, 2005 Version 2

TRACT I

All of Block Two Hundred Seventy-Two (272), S.S.B.B., Harris County, Texas, and being the same property described in Deeds filed for record under Harris County Clerk's File Number(s) J-898682 and J-984396, and being that same tract conveyed from Urban Diversified Properties, Inc. to Allright Realty Company and recorded in File No. P946885 of the Official Public Records of Real Property of Harris County Texas, said tract being more particularly described by metes and bounds as follows: (All bearings based on Texas State Plane Coordinate System, South Central Zone (4204)).

A 1.4728 acre tract of land being all of Block 272 in the S.S.B.B. Addition and a portion of Dallas Avenue and Fannin Street as filed under Harris County Clerk's File Number(s) J898682, all out of the James S. Holman Survey, Abstract No. 323, in Houston, Harris County, Texas, said 1.4728 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at the re-determined location of the City of Houston Engineering Department Reference Rod No. 41 originally found at the centerline intersection of Main Street (90' R.O.W.) and Polk Avenue (R.O.W. varies from original 80' R.O.W.) Surface Values are $X=3,121,468.06$, $Y=13,841,299.73$ and may be converted to Grid by multiplying by a combined scale factor of 0.999896243;

THENCE South $57^{\circ}07'45''$ East, along the centerline of Polk Avenue, a distance of 45.00 feet to a point for corner;

THENCE North $32^{\circ}52'15''$ East, a distance of 40.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found at the intersection of the Southeasterly right-of-way line of Main Street (90' R.O.W.) with the Northeasterly right-of-way line of said Polk Avenue and being the POINT OF BEGINNING of the herein described tract;

THENCE continuing North $32^{\circ}52'15''$ East, along the Southeasterly right-of-way line of Main Street, a distance of 250.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner at the intersection of the Southeasterly right-of-way line of Main Street with the Southwesterly right-of-way line of Dallas Avenue (R.O.W. varies from original 80' R.O.W.);

THENCE South $57^{\circ}07'45''$ East, along the Southwesterly right-of-way line of Dallas Avenue, a distance of 126.55 feet to a "PK" Nail found for corner;

THENCE North $32^{\circ}52'32''$ East, a distance of 7.65 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found;

THENCE South $56^{\circ}56'57''$ East, a distance of 127.35 feet to a cut "X" found in concrete for corner;

THENCE South $33^{\circ}29'43''$ West, a distance of 128.46 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found in the northwesterly right-of-way line of Fannin Street (R.O.W. varies from original 80' R.O.W.);

THENCE South $32^{\circ}52'15''$ West, along the Northwesterly right-of-way line of Fannin Street, a distance of 128.80 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner at the intersection of the Northwesterly right-of-way line of Fannin Street with the Northeasterly right-of-way line of Polk Avenue.

THENCE North $57^{\circ}07'45''$ West, along the Northeasterly right-of-way line of Polk Street, a distance of 252.50 feet to the POINT OF BEGINNING and containing 64,153 square feet or 1.4728 acres of land.

TRACT II

The northwest, northeast and southwest quarters of Block Two Hundred Seventy-Three (273), S.S.B.B., Harris County, Texas, and being a portion of the same property described in Deeds filed for record under Harris County Clerk's File Number(s) J-858544 and J-898680, and a portion of that same tract conveyed from Urban Diversified Properties, Inc. to Allright Realty Company and recorded in File No. P946885 of the Official Public Records of Real Property of Harris County Texas, said tract being more particularly by metes and bounds as follows:

A 1.085 acre tract of land being the north three quarters of Block 273 in the S.S.B.B. Addition out of the James S. Homan Survey, Abstract No. 323 in Houston, Harris County, Texas, said 1.085 acre tract being more particularly described by metes and bounds as follows: (All bearings based on Texas State Plane Coordinate System, South Central Zone (4204)).

COMMENCING at the re-determined location of City of Houston Engineering Department Monument originally found at the centerline intersection of Main Street (90' R.O.W.) and Polk Avenue (R.O.W. Varies from original 80' R.O.W.);

THENCE South $57^{\circ}07'45''$ East, along the centerline of Polk Avenue, a distance of 377.50 feet to a point for corner;

THENCE North $32^{\circ}52'15''$ East, a distance of 40.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for the intersection of the Southeasterly right-of-way line of Fannin Street (R.O.W. Varies from original 80' R.O.W.) with the Northeasterly right-of-way line of Polk Avenue and being the POINT OF BEGINNING of the herein described tract;

THENCE continuing North $32^{\circ}52'15''$ East, along the Southeasterly right-of-way line of Fannin Street, a distance of 250.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner at the intersection of the Southeasterly right-of-way line of Fannin Street with the Southwesterly right-of-way line of Dallas Avenue (R.O.W. Varies from original 80' R.O.W.);

THENCE South 57°07'45" East, along the Southwesterly right-of-way line of Dallas Avenue, a distance of 252.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner at the intersection of the Southwesterly right-of-way line of Dallas Avenue with the Northwesterly right-of-way line of San Jacinto Street (80' R.O.W.);

THENCE South 32°52'15" West, along the Northwesterly right-of-way line of San Jacinto Street, a distance of 125.00 feet to a 5/8-inch iron with orange cap marked RODS Surveying set;

THENCE North 57°07'45" West, a distance of 126.00 feet to a PK Nail set;

THENCE South 32°52'15" West, a distance of 125.00 feet to a PK nail set in the northeasterly right-of-way line of said Polk Avenue;

THENCE North 57°07'45" West, along the Northeasterly right-of-way line of Polk Avenue, a distance of 126.00 feet to the POINT OF BEGINNING and containing 47,250 square feet or 1.085 acres of land.

TRACT III

All of Block Two Hundred Seventy-Four (274), of S.S.B.B., Harris County, Texas, and being the same property described in Deed filed for record under Harris County Clerk's File Number(s) J-898681, and being that same tract conveyed from Urban Diversified Properties, Inc. to Allright Realty Company and recorded in File No. P946885 of the Official Public Records of Real Property of Harris County Texas, said tract being more particularly described by metes and bounds as follows:

A 1.4563 acre tract of land being all of Block 274 in the S.S.B.B. Addition and a portion of Dallas Avenue and Caroline Street as filed under Harris County Clerk's File Number(s) J-898681, all out of James S. Holman Survey, Abstract No. 323, in Houston, Harris County, Texas, said 1.4563 acre tract being more particularly described by metes and bounds as follows: (All bearings based on Texas State Plane Coordinate System, South Central Zone (4204)).

COMMENCING at the re-determined location of City of Houston Engineering Department Monument originally found at the centerline intersection of main Street (90' R.O.W.) and Polk Avenue (R.O.W. Varies from original 80' R.O.W.);

THENCE South 57°07'45" East, along the centerline of Polk Avenue, a distance of 709.50 feet to a point for corner;

THENCE North 32°52'15" East, a distance of 40.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found at the intersection of the Southeasterly right-of-way line of San Jacinto Street (80' R.O.W.) with the Northeasterly right-of-way of Polk Avenue and being the POINT OF BEGINNING of the herein described tract;

THENCE continuing North 32°52'15" East, along the Southeasterly right-of-way line of San Jacinto Street, a distance of 250.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner at the intersection of the Southeasterly right-of-way line of San Jacinto Street with the Southwesterly right-of-way line of Dallas Avenue (80" R.O.W.);

THENCE South 57°07'45" East, along the Southwesterly right-of-way line of Dallas Avenue, a distance of 152.90 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner;

THENCE North 32°52'15" East, a distance of 4.49 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner;

THENCE South 57°09'41" East, a distance of 101.85 feet to a "X" cut found in concrete for corner;

THENCE South 32°52'15" West, a distance of 104.54 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner;

THENCE North 57°13'01" West, a distance of 4.75 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner in the Northwesterly right-of-way line of Caroline Street (80' R.O.W.);

THENCE South 32°52'15" West, along the Northwesterly right-of-way line of Caroline Street, a distance of 150.00 feet to a 5/8-inch iron rod with orange cap marked RODS Surveying found for corner at the intersection of the Northwesterly right-of-way line of Caroline Street with the Northeasterly right-of-way line of Polk Avenue;

THENCE North 57°07'45" West, along the Northeasterly right-of-way line of Polk Avenue, a distance of 250.00 feet to the POINT OF BEGINNING and containing 63,435 square feet or 1.4563 acres of land.

A map of even date accompanies this metes and bounds description.


Registered Professional Land Surveyor

December 6, 2005

Updated January 10, 2007

RODS Surveying Job No. 309-20525-000

